

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PASCALE ANDRE & PHILIPPE ANDRE	X
w/h,	:
	: Civil Action No.:
Plaintiff,	:
	:
v.	:
	: <u>NOTICE OF REMOVAL</u>
NATIONAL RAILROAD PASSENGER	:
CORPORATION d/b/a AMTRAK,	:
	:
Defendants.	X

Defendant National Railroad Passenger Corporation ("Amtrak"),
by and through their attorneys, respectfully states:

1. Amtrak has been named as the defendant in an action now pending in the Court of Common Pleas, Philadelphia County, April Term 2002, No. 005198, entitled Pascale Andre and Phillipe Andre v. National Railroad Passenger Corporation d/b/a Amtrak

2. The above-entitled action was commenced by the filing of a complaint on May 3, 2002.

3. Amtrak first received a copy of the Complaint when it was served with a Summons and Complaint on May 6, 2002.

4. The United States District Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 because Amtrak was created by an Act of Congress, 49 U.S.C. § 29101 et seq., and more than one half of its corporate stock is owned by the

federal government. See 28 U.S.C. § 1349. As such, it is removable to this Court pursuant to 28 U.S.C. § 1441.

5. Pursuant to 28 U.S.C § 1446(a), copies of all pleadings served upon Amtrak are attached hereto at Exh. A.

WHEREFORE, Amtrak requests that the action described in paragraph one now pending against Amtrak in the Court of Common Pleas, Philadelphia County, be removed to this Court.

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BY: _____
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Dated: January 9, 2003
Newark, New Jersey